

1 LYNN V. RIVERA, ESQ.
2 NEVADA BAR NO. 6797
3 **BURNHAM BROWN**
4 A Professional Law Corporation
5 200 S. Virginia Street, 8th Floor
6 Reno, Nevada 89501
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8 Telephone: (775) 398-3065
9 Facsimile: (877) 648-5288
10 Email: lrivera@burnhambrown.com

11 Attorneys for Defendant
12 HOME DEPOT U.S.A., INC.

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PAUL PARTON, individually,

Case No. 2:20-cv-01404 JCM-EJY

Plaintiff,

v.

HOME DEPOT U.S.A., INC., a foreign corporation; DOES 1 through 10; and ROE ENTITIES 11 through 20, inclusive jointly and severally,

**STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER IN
COMPLIANCE WITH LR 26-1(b) TO
EXTEND EXPERT DISCLOSURE
DEADLINES**
(third request)

Defendants.

Plaintiff PAUL PARTON and Defendant HOME DEPOT U.S.A., INC. ("Home Depot") by and through their attorneys of record hereby jointly stipulate and respectfully request this Honorable Court order a continuance of the discovery deadlines for ninety (90 days) pursuant to FRCP 26 and Local Rule 26-1.

1. Discovery completed: To date, the Parties have exchanged Initial Disclosures, written discovery, conducted the deposition and the IME of the Plaintiff. The Parties have been working diligently to review Plaintiff's medical records which are very voluminous and given Plaintiff's ongoing treatment additional time is needed to obtain additional medical records from ten facilities that were only recently discovered. Plaintiff continues to treat and had recent surgery to his thoracic

1 spine.

2 2. Discovery remaining to be completed: The Parties intend to engage in informal
3 settlement negotiations and/or mediation, summarize the additional medical records upon receipt and,
4 if unable to resolve, depose Plaintiff's numerous medical treatment providers, and conduct the
5 depositions of the a person most knowledgeable of the Home Depot. Finally, Plaintiff has requested
6 a site inspection of the subject premises.

7 3. Description of why remaining discovery has not been completed within the time
8 limits previously set by the Court: The Parties have good cause for the 90 day extension of the
9 discovery deadlines because the medical records in this case are incredibly voluminous. Plaintiff
10 alleges over \$735,000 in past medical damages, just had a third spinal surgery, and has a very
11 extensive pre-existing medical history and medical records are still outstanding. Therefore, an
12 additional extension of time is needed to assess the medical condition of the Plaintiff, conduct a
13 second deposition of the Plaintiff, and afford the Parties additional time to engage in informal
14 settlement negotiations and/or mediation.

15 4. Proposed schedule for completing all remaining discovery: Based on the foregoing,
16 the Parties respectfully request that the Court grant their joint request to extend the expert discovery
17 deadlines, as follows:

	Current Dates	Proposed Dates
Last day to make initial expert disclosures	5/31/2021	8/30/2021
Last day to make rebuttal expert disclosures	6/28/2021	9/27/2021
Discovery Cut-Off	7/26/2021	10/25/2021
Dispositive Motions	8/23/2021	11/22/2021
Pretrial Order	9/22/2021	12/21/2021

24 Pursuant to Local Rule 26-4, this Stipulation was agreed to 21 days before the pending
25 deadline.

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1 **IT IS SO STIPULATED.**

2 DATED: May 10, 2021

3 DAVID BOEHRER LAW FIRM

4 By /s/ Travis J. Rich

5 TRAVIS J. RICH

6 Attorneys for Plaintiff

PAUL PARTON

7 DATED: May 10, 2021

8 BURNHAM BROWN

9 By /s/ Lynn V. Rivera

10 LYNN V. RIVERA

11 Attorneys for Defendant

12 HOME DEPOT U.S.A., INC.

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14 **PROPOSED ORDER**

15 Upon consideration of the Parties' Stipulation and having found good cause exists, the
16 Court rules as follows: the parties' request to continue the expert discovery deadlines by 90
17 days, with proposed dates set forth above, is granted.

18 IT IS SO ORDERED.

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20 DATE: May 10, 2021

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22 Layna J. Zouchah
23 UNITED STATES MAGISTRATE JUDGE

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